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**Promotion and protection of human rights: Convention on the Rights of Persons with Disabilities**

## Letter dated 11 January 2008 from the Chargé d'affaires a.i. of Spain to the United Nations addressed to the President of the General Assembly

I am pleased to inform you that, on 27 to 29 November 2007, Spain organized an Expert Group Meeting in Madrid entitled "Making it work: civil society participation in the implementation of the Convention on the Rights of Persons with Disabilities". The outcome of the Meeting is the Declaration of Madrid, which establishes priority areas of action to ensure the participation of civil society in the implementation and follow-up of the Convention on the Rights of Persons with Disabilities (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly under agenda item 70 (e).

(*Signed*) Iñigo **de Palacio España**
Chargé d'affaires a.i.

08-21499 (E) 250108 280108

**Annex to the letter dated 11 January 2008 from the Chargé d'affaires a.i. of Spain to the United Nations addressed to the President of the General Assembly**

"Making it work: civil society participation in the implementation of the Convention on the Rights of Persons with Disabilities"

# DECLARATION OF MADRID

Expert Group

Madrid, 27 November 2007

We, the participants of the Expert Group Meeting *Making it work -Civil society participation in the implementation of the Convention on the Rights of Persons with Disabilities,* convened by the United Nations Department of Economic and Social Affairs, held in Madrid, Spain, from 27 to 29 November 2007 make the following recommendations to Member States of the United Nations:

Would like to start thanking the host organizations, the United Nations, the Government of Spain and Fundacion ONCE, for convening this meeting, which has allowed a fruitful discussion on the way forward in terms of the participation of persons with disabilities and their representative organizations (DPOs) as well as NGOs which accept DPO leadership (Allied NGOs*) in the implementation process of the CRPD.

We, the participants of the Expert Group Meeting,

Convinced of the fundamental contribution the Convention on the Rights of Persons with Disabilities (CRPD) will make for the full enjoyment of fundamental freedoms and human rights by persons with disabilities;

Convinced of the paradigm shift to a human rights based model of disability, which this Convention clearly embodies and which will mean fundamental changes in legislation, policies and programmes;

Convinced that the CRPD demonstrates that human rights and development are a single stream, that human rights cannot be effective without inclusive development and development could not be achieved without the full respect of human rights for persons with disabilities, the Convention being a clear framework for the rights based approach to development.

Convinced of the fundamental relevance of involving persons with disabilities through their representative organizations (DPOs) in all stages and levels of the implementation process of the Convention;

Urge all UN Member States to accelerate the ratification process of the Convention in order to ensure a swift entry in force of the CRPD,

And recommend that,

* In this document, "allied NGOs" and "allied organizations" indistinctly mean organizations that, although they do not represent people with disabilities, are engaged or are interested in disability issues and recognize and accept the leadership role of people with disabilities and their representative organizations in disability issues.

I. When the Convention on the Rights of Persons with Disabilities enters into force:

1. States Parties to the Convention on the Rights of Persons with Disabilities, consistent with the letter and spirit of the Convention and particularly Article 34, paragraphs 3 and 4 adopt the following criteria in the selection of candidates for the Committee of Experts:

   - Independence
   - Participation of experts with diverse disabilities
   - Expertise in human rights and disability
   - Credibility within the diverse disability community
   - Equitable regional and cultural representation
   - Gender balance

   And adopt the following procedural standards in the selection of candidates:

   - Involvement of representative national DPOs in the selection process
   - Transparency, including publicising the CVs of the candidates for the Committee of Experts on the UN website;

2. The Conference of States Parties, mandated by article 40 paragraph 1:

   a. Considers substantive matters related to the implementation of the CRPD, including activities that will help to fulfil the obligation under article 32 to undertake measures of international cooperation in support of national efforts for the realisation of the purpose and objectives of the CRPD;

   b. Is open to all UN Member States, whether States Parties or not;

   c. Facilitates the active involvement of representative DPOs and allied NGOs, similar to the level of involvement achieved in the Ad Hoc Committee including:

      i. Contribute to setting the agenda, preparation and planning;

      ii. Participation as experts, including through the provision of financial support, where necessary;

d. Serves as a forum for knowledge sharing, exchange of experiences and lessons learned on strategies and practices to implement the Convention in a spirit of cooperation;

e. Undertakes intersessional work, where appropriate, to continue and follow up on activities begun in the Conference and plan the following one;

3. OHCHR assists the Committee of Experts, when it is established, to facilitate the active engagement of representative DPOs and allied NGOs with the Committee of Experts, including in those ways indicated in Article 36, paragraph 5 and Article 38, paragraph (a) of the Convention;

4. UN Member States strengthen the Secretariat for the CRPD within DESA and OHCHR increasing their resources, and explore the feasibility of establishing a specific UN agency to promote the rights of persons with disabilities;

5. Member States establish a UN initiative for capacity building of DPOs, designed and developed in consultation with such DPOs, to participate in implementation of the Convention;

6. Member States support the establishment of a liaison mechanism, designed and implemented in co-operation with the representative DPOs, to facilitate the participation of DPOs in the preparatory and intersessional work for the Conference of States Parties and the Committee of Experts;

7. Member States review the mandate of the Voluntary Fund, in view of including the possibility of financing the participation of DPOs from low and middle income countries and those representing indigenous persons with disabilities in the Conference of States Parties and in the Committee of Experts;

8. The UN Secretariat ensures full accessibility, including information, communication and premises, for all CRPD related UN meetings;

9. The UN Secretariat, in cooperation with DPOs, develops a comprehensive handbook on implementation of the CRPD;

10. Member States support the establishment or strengthening of independent, fully inclusive national DPO coalitions, open to NGOs which accept DPO

leadership, focusing on the implementation of the CRPD as an intrinsic element of the involvement of DPOs as mandated in Article 4.3 of the CRPD;

11. Member States in accordance with article 8 of the CRPD immediately undertake wide awareness raising campaigns on the CRPD promoting the rights and dignity of persons with disabilities;

12. Member States undertake translation of the CRPD into national languages in co-operation with DPOs;

II. Furthermore, in order to ensure the full implementation of the CRPD, we recommend that:

13. Member States allocate sufficient national resources and promulgate policies and legislation for the implementation of the CRPD and to do this in close involvement with representative DPOs;

14. Other UN human rights treaty committees, the Human Rights Council and all human rights mechanisms consider the human rights of persons with disabilities as articulated in the CRPD, in co-operation with DPOs;

15. Member States shall use the newly initiated Universal Periodic Review process to include the relevant issues pertaining to the rights of persons with disabilities and include DPOs in the national consultation process when preparing their submissions to this process;

16. National human rights institutions include the rights of persons with disabilities in their work and to do it in consultation with national representative DPOs;

17. Member States, which are either donor or beneficiaries of international development co-operation,

    a. Mainstream disability in international development cooperation following the principles of the CRPD with adequate bodies for implementation, follow-up and monitoring, working in collaboration with DPOs;

b. Include disability specific initiatives and programs, particularly those directed to provide capacity building to persons with disabilities and their organisations; and

c. Provide specific capacity building on development cooperation issues to ensure meaningful involvement of DPOs in these processes;

18. UN agencies, including the Breton Woods institutions:

a. Review their policies and programmes in light of the CRPD;

b. Contribute to the implementation of the CRPD through establishing a specific disability department, as well as taking into account the protection and promotion of the human rights of persons with disabilities in all policies and programmes; and

c. Consult and co-operate with DPOs in all activities related to disability, including the interagency meetings;

19. The Commission on Social Development address disability issues consistent with the CRPD in all of its work, particularly related to the follow-up to the Copenhagen Summit.

"Nothing about us without us"